

"The mission of the Kentucky Division of Water is to manage, protect and enhance the water resources of the Commonwealth for present and future generations through voluntary, regulatory and educational programs."

Ag Jamboree October 2015

Sarah Jon Gaddis
Manager, Compliance and Technical Assistance Branch

Enforcement Authority

Federal Water Pollution Control Act, 1948 and revised 1972 (Clean Water Act or CWA)

- CWA establishes the basic structure for regulating discharges of pollutants and regulating quality standards for surface waters.
- Implements pollution control programs, sets standards for industry and sets standards for water quality.
- The CWA requires anyone who wants to discharge pollutant to first obtain permit, or else that discharge will be considered illegal.

Why Water Regulations Matter







The Big Picture: Nutrients





Gulf Hypoxia requires states to work together to improve water quality.

Division of Water Organization



Peter Goodmann, Director x4012

Tom Gabbard, Assistant Director X4972

Whitley Brown, Admin. Specialist III x4973

Carey Johnson Env. Scientist Consultant x4928

Resource Planning & Program Support Branch

Pete Goodmann Acting Manager x4810

Water Infrastructure Branch

Jory Becker Manager x4850

Surface Water Permits Branch

Sara Beard Manager x4924

Compliance & Technical Assistance Branch

Sarah Gaddis Manager x4956

Watershed Management Branch

John Webb Manager x4908

Water Quality Branch

Andrea Keatley Manager x4978





Kentucky Department for Environmental Protection

DIVISION OF WATER

200 Fair Oaks Lane, 4th Floor, Frankfort, KY 40601 Phone: 502.564.3410 Fax: 502.564.0111

> Peter Goodmann, Director Tom Gabbard, Assistant Director

Whitley Brown, Admin. Specialist III



				200		
Resource Planning & Program Support Branch Pete Goodmann Acting Manager Lorrie Rhodes Program Coordinator	Water Infrastructure Branch Jory Becker Manager Krystal Harrod Admin, Specialist III	Surface Water Permits Branch Sara Beard Manager Robin Snider Admin. Specialist III	Compliance & Assistance Sarah G Mana, Melissa B Admin. Spe	Branch addis ger aughn	Watershed Management Branch John Webb Manager JII Wilhelm Admin. Specialist III	Water Quality Branch Andrea Keatley Manager Kathy Clarkson Admin. Specialist III
Grants Management Section Kristle Graham Supervisor	Engineering Section Terry Humphries Supervisor	Resource Extraction Section Amy Van Horne Supervisor	Drinking Water Comp & Tech Assistance Section Brian Chitti Supervisor	Bowling Green Regional Office Bill Baker Supervisor 270.746.7475	Nonpoint Source & Basin Team Section Jim Roe Supervisor	Monitoring Section Melanie Arnald Supervisor
Resource Planning Section Karen Cranen Supervisor	Wastewater Municipal Planning Section Clindy McDanald Supervisor	Operational Permits Section Tammi Hudson Acting Supervisor	Columbia Regional Office Brian Crump Supervisor 270.384,4734	Florence Regional Office Matt Gross Supervisor 839.304.3338	GIS & Date Analysis Section Jo Blanset Supervisor	Water Quality Certification Section VACANT Supervisor
Laboratory Certification Section Frank Hall Supervisor	Drinking Water Capacity Development Section Cindy McDanald Acting Supervisor	Floodplain Management Section Ron Dutta Supervisor	Frankfort Regional Office Rob Dankell Supervisor 502.504.3338	Hazard Regional Office Damon White Supervisor 606.433.6022	Water Quantity Section VACANT Supervisor	TMDL Section Allcia Jacobs Supervisor
	Dam Safety & Floodplain Compliance Section Ran Gruzesky Supervisor	Permit Support Section Karina Villanueva Supervisor	London Regional Office Robert Miller Supervisor 606.330.2080	Louisville Regional Office Charlie Roth Supervisor 502.429.7122	Groundwater Section David Jackson Supervisor	
	SRF & SPAP Section Buddy Griffin Supervisor	Wet Weather Section Lynne Brosius Supervisor	Madisonville Regional Office Randy Thomas Supervisor 270.824.7529	Morehead Regional Office Danny Fraley Supervisor 606.783.8655		
		- 53	Paducah Regional Office			

Shannon McLeary Supervisor 270.898.8408



401 KAR 5:005 section 1(3)

Agricultural waste handling system - construction or modification of facilities that covey, store or treat manure

- KPDES permit required for Confined Animal Feeding Operations (CAFO);
- Kentucky No Discharge Operational Permit (KNDOP) required for all others.
 - KNDOP is for a facility that does not have a point source discharge and, instead, uses other means to dispose of or process wastewater.
 - » Ex: Land application, lagoons

Animal	Large AFO	Medium AFO	
Dairy – mature; milked or dry	700	200 - 699	
Veal Calves	1000	300 - 999	ľ
Cattle – other than dairy or veal	1000	300 - 999	V
Swine (>55 lbs)	2500	750 - 2499	
Swine (<55 lbs)	10,000	3,000 – 9,999	
Horses	500	150 - 499	
Sheep or lambs	10,000	3,000 – 9,999	
Turkeys	55,000	16,500 – 54,999	
Laying hens or broilers (liquid handling)	30,000	9,000 – 29,999	
Chickens – other than laying hens (no liquid handling)	125,000	37,500 – 124,999	
Ducks (liquid handling)	5,000	1,500 – 4,999	
Ducks (no liquid handling)	30,000	10,000 – 29,999	

CAFO = Large or Medium facility with a discharge

Difference between Large and Medium AFO:

Large AFOs required to have an KNMP

Ag Water Quality Act (1994)

Agricultural Operations with

- 10 or more contiguous acres that
- Produce crops, livestock, livestock products or silviculture products.

Having an AWQP is a condition of KNDOP and KPDES permits!





CTAB By the Numbers

Personnel, Inspection and Compliance Trends



62

Environmental Scientists



1 O Regional Offices

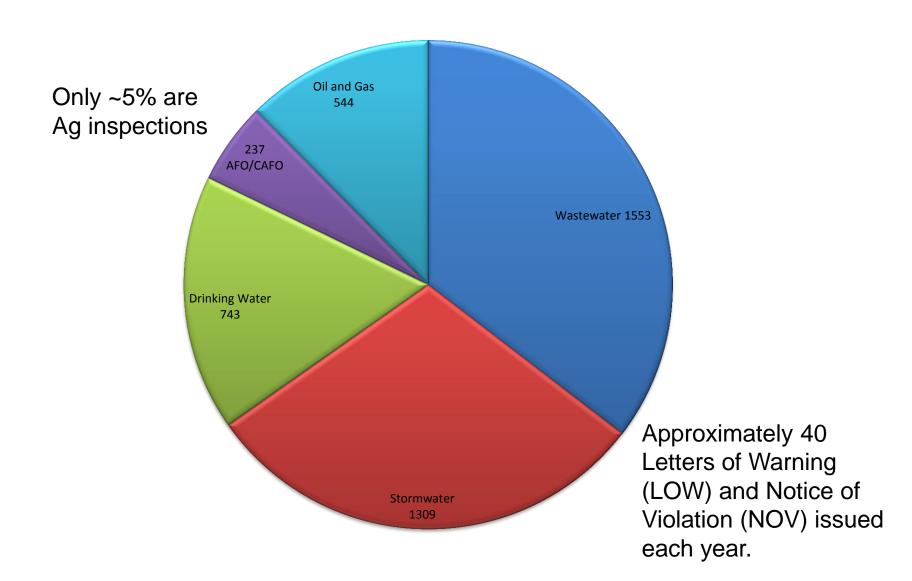
CTAB
By the
Numbers

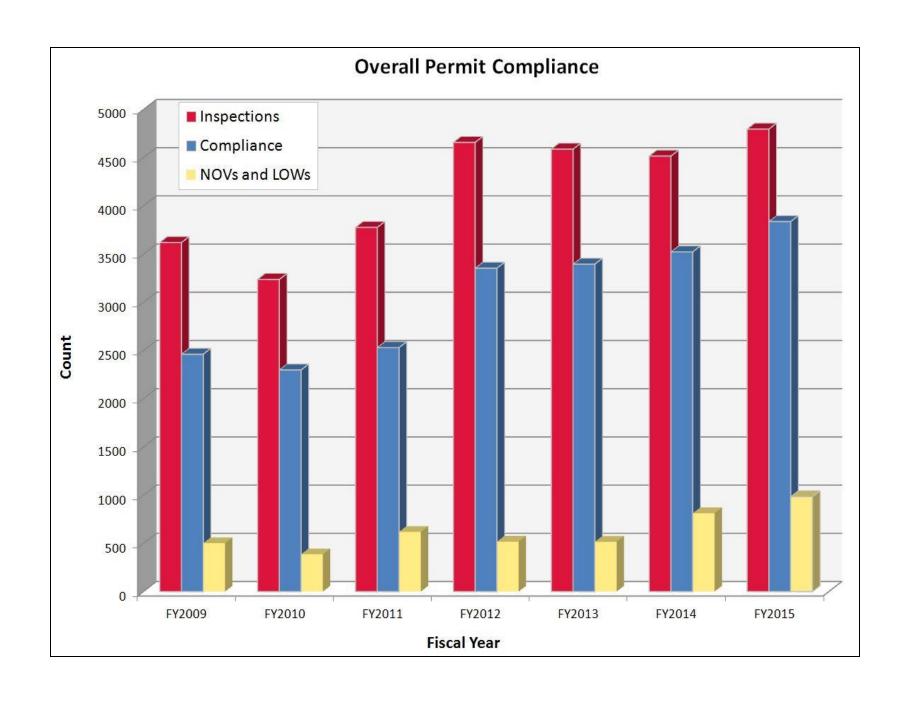
1600
Complaints

45 5000+
Inspections

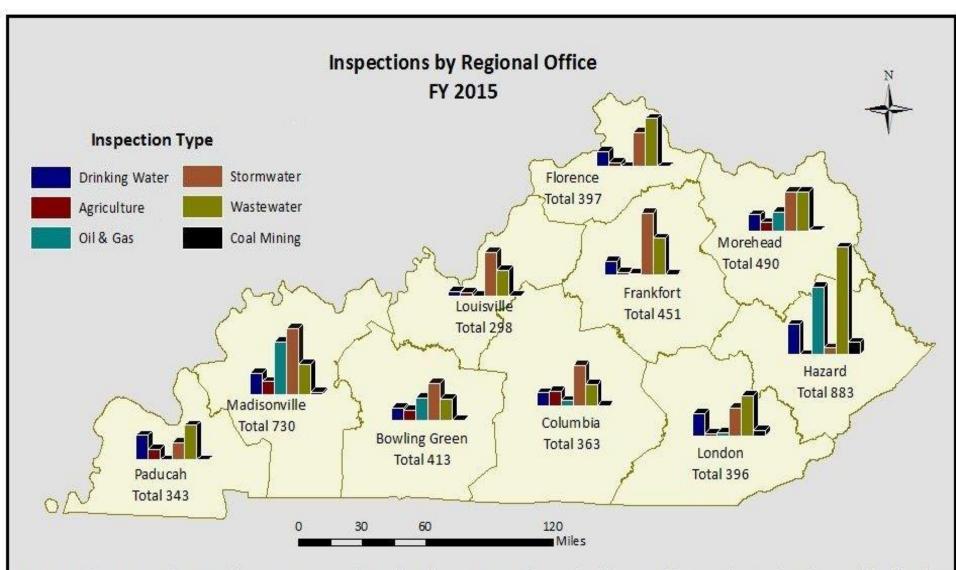


DOW CTAB Inspections by Sector





DOW Inspections by Region



Map prepared by KDOW GIS & Data Analysis Section September 2014 This work product represents only generalized locations of features, objects or boundaries and should not be relied upon as being legally authoritative for the precise location of any feature, object or boundary.



Ag By the Numbers

CTAB Inspections and Information:

Agriculture

Ag By the Numbers







Common violations

- ✓ Failure to have proper plans AgWQ, GPP, & NMP.
- ✓ Failure to maintain copies of up-to-date plans AgWQ, GPP, and NMP.
- ✓ Failure to maintain written inspections of facility.
- ✓ Failure to maintain adequate available freeboard in lagoon.
- ✓ Failure to report spills and releases
- ✓ Failure to implement AgWQ plan for entire farming operation
 - i.e. buffer strips, stream crossings, lack of established vegetation, animal mortality
- ✓ Failure to renew permit in a timely manner.
- ✓ Straight Pipes (Point Source Discharges)

Enforcement Strategy

1. Letter of Warning – for most common violations, first offense.

2. Notice of Violation: No response to LOW or for egregious violations.

3. Enforcement Referral – patterns of non-compliance or egregious violations.



Egregious Violations

- Intentional breaching of a lagoon.

- Fishkill.

 Polluting a private or public water supply.

*Conservation District, Division of Conservation and NRCS are copied on NOV letters and sufficiency letters.



Division of Water Regional Offices

Contact

Sarah Jon Gaddis
200 Fair Oaks Ln., 4th floor
Frankfort, KY

sarah.gaddis@ky.gov

502-564-3410 ext. 4956